

Senator Bye, Representative Walker, members of the committee, thank you for the opportunity to submit this testimony on the Department of Children and Families Budget. My name is Francine Sherman. I am a clinical professor and director of the Juvenile Rights Advocacy Project at Boston College Law School. I have served on the U.S. Department of Justice National Advisory Committee on Violence Against Women focusing on children and teens victimized by domestic violence and sexual assault. I serve on the Advisory Board of OJJDP's National Girls Institute. I also work through the Annie E. Casey Foundation to provide technical assistance on ways to reduce the inappropriate incarceration of girls and improve their success in their communities.

Everything that we are learning about girls in the juvenile justice system tells us that less restrictive, community based services work best for them. Preferably, those services should be delivered outside the juvenile justice system. I therefore would like to share my concerns about DCF's \$2.6 million proposal to construct a second maximum-security facility for girls.

Girls' presence in the justice system is closely linked to the developmental and social factors unique to girls in either kind or degree and there is increasing evidence that unintended consequences of juvenile justice system and police and practices are pulling girls into the juvenile justice system and keeping them there when it is clear that another system or community-based agency would better serve them. In short, girls in the juvenile justice system have many needs that are not being met. Increasing the capacity for secure confinement will not help them; in fact, it may hurt them.

For girls in the juvenile justice system you cannot overstate the effect of family chaos and trauma. While boys and girls in the justice system are likely to come from distressed families, data show that the girls are more likely to come from families characterized by chaos and violence, incarceration of a parent, death of a parent or sibling, poor family communication and residential instability (Lederman, Dakof, Larrea & Li, 2004; Bloom, Owen, Deschenes, & Rosenbaum, 2002, Acoca, 1999, Timmons-Mitchell, Brown, Schulz, Webster, Underwood, & Semple, 1997).

Although empirical findings as to the incidence of victimization vary, research shows that up to 73 percent of girls in the justice system have experienced sexual or physical victimization (Hayes, 2004). Abuse histories in girls may be linked to mental health issues such as depression and anxiety disorders (Bloom, Owen, & Covington, 2003; Sherman, 2005; Goodkind, Ng, & Sarri, 2006), or may manifest in girls externalizing disorders such as aggressive behavior (Sherman, 2005).

Girls' profound histories of victimization become a pathway into the juvenile justice system in numerous ways, but using detention and incarceration punishes and re-victimizes the victim and fails to provide state and localities with incentive to properly address girls' victimization in the public health, children and family services, and victim services systems.

Detention and the juvenile justice system are not designed to treat girls with mental health issues, who could be treated effectively in their homes using community mental health resources. When systems detain and incarcerate girls whose behavior is driven by significant mental health needs, they are punishing the

victim and relieving the mental and public health systems of their responsibility for these youth.

Instead of choosing to incarcerate more girls, I would recommend that the state:

- Require the juvenile justice system to collect and analyze data disaggregated by gender, and cross referenced by race and ethnicity.
- Encourage the use of community-based, wrap-around services and coordination across agencies for girls with high social service and mental health needs rather than use detention.
- Develop alternatives to juvenile justice involvement for commercially sexually exploited girls.

Thank you for the opportunity to submit this testimony. I would be happy to answer any further questions legislators might have and can be reached at

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